

1  
2  
3  
4  
5 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 UNITED STATES OF AMERICA, )

8 Plaintiff, )

9 v. )

10 SPENCER WYDELL WOODS, )

11 Defendant. )

Case No. CR06-206- RSM

**PROPOSED FINDINGS OF FACT AND  
DETERMINATION AS TO ALLEGED  
VIOLATIONS OF SUPERVISED  
RELEASE**

12 INTRODUCTION

13 I conducted a hearing on alleged violations of supervised release in this case on August 22,  
14 2008. The defendant appeared pursuant to a summons. The United States was represented by  
15 Sarah Vogel, and defendant was represented by Jeff Coopersmith. Also present was U.S.  
16 Probation Officer Brian Facklam. The proceedings were digitally recorded.

17 CONVICTION AND SENTENCE

18 Defendant was sentenced on October 27, 2006, for conspiracy to distribute cocaine and  
19 heroin. He received 20 months of imprisonment and three years of supervised release.

20 PRESENTLY ALLEGED VIOLATION AND  
21 DEFENDANT'S ADMISSION OF THE VIOLATION

22 In a petition dated April 9, 2008, Supervising U.S. Probation Officer Brian Facklam alleged  
23 that defendant violated the following condition of supervised release:

PROPOSED FINDINGS OF FACT AND  
DETERMINATION AS TO VIOLATIONS OF  
SUPERVISED RELEASE -1

1 1. Committing the crimes of assault, second degree-domestic violence related (felony),  
2 unlawful imprisonment, and harassment in violation of the general condition that defendant  
3 commit no other Federal, State, or local crimes.

4 In a petition dated August 13, 2008, Supervising U.S. Probation Officer Brian Facklam  
5 alleged that defendant violated the following condition of supervised release:

6 2. Failing to abstain from the use of alcohol by using the substance in the month of February  
7 2008, in violation of the special condition requiring defendant to abstain from the use of alcohol.

8 Defendant admitted violation 2, waived any hearing as to whether it occurred, and was  
9 informed that the matter would be set for a disposition hearing before District Judge Ricardo S.  
10 Martinez. The government has withdrawn violation 1.

11 **RECOMMENDED FINDINGS AND CONCLUSIONS**

12 Based upon the foregoing, I recommend the Court find that defendant has violated the  
13 conditions of his supervised release as alleged above, and conduct a disposition hearing. No  
14 request for detention was made and defendant remains in the community subject to all previously  
15 ordered conditions of supervision.

16 DATED this 21st day of August, 2008.

17 

18 BRIAN A. TSUCHIDA  
19 United States Magistrate Judge  
20  
21  
22  
23